

Message Text

UNCLASSIFIED

PAGE 01 STATE 043140
ORIGIN LAB-04

INFO OCT-01 EUR-12 ISO-00 SIL-01 /018 R

DRAFTED BY LABOR:IPA:GPHOLMES:VML
APPROVED BY STATE:EUR:DGOOTT
LABOR:E:CBENZ (SUBSTANCE)
EUR:RDVINE
LABOR:ESA:DPHILLIPS (SUBSTANCE)
LABOR:SUI:HNBLACKMAN (INFO)

-----084611 181801Z /70

R 172351Z FEB 78
FM SECSTATE WASHDC
TO AMEMBASSY BRUSSELS
AMEMBASSY THE HAGUE
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY STOCKHOLM
INFO AMCONSUL AMSTERDAM

UNCLAS STATE 043140

USEC

E.O. 11652: N/A

TAGS: ELAB, OVIP (ELISBURG, D)

SUBJECT: DEPARTMENT OF LABOR OFFICIAL TRAVEL: DONALD E.
ELISBURG, ASSISTANT SECRETARY FOR EMPLOYMENT STANDARDS

1. ASSISTANT SECRETARY ELISBURG'S RESPONSIBILITIES INCLUDE
DEVELOPMENT OF A LEGISLATIVE PROPOSAL FOR CONSIDERATION BY
THE CARTER ADMINISTRATION WHICH WILL, IF ENACTED BY THE
CONGRESS, REQUIRE A MANDATORY AND COMPREHENSIVE REFORM OF
ALL EXISTING STATE WORKERS' COMPENSATION SYSTEMS. THUS THE
PURPOSE OF HIS TRIP IS TO LEARN AS MUCH AS POSSIBLE ABOUT
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 043140

HOW EUROPEAN COUNTRIES COMPENSATE INJURED AND DISEASED
WORKERS, OR THEIR SURVIVORS IN CASE OF DEATH, FOR WORK-
RELATED DISABILITIES. HE IS PARTICULARLY INTERESTED IN
(A) METHODS USED TO FINANCE BENEFITS, (B) RELATIONSHIPS
BETWEEN GOVERNMENTAL AND PRIVATE COMPENSATION SYSTEMS
AND (C) COMPENSATION FOR OCCUPATIONAL DISEASES. HE IS
INTERESTED IN ANY SYSTEMS THAT COMPENSATE WORKERS WHETHER

IT BE PART OF A GENERAL SOCIAL SECURITY SYSTEM OR A SPECIFIC WORKMEN'S COMPENSATION PROGRAM. IN ADDITION TO APPROPRIATE GOVERNMENT OFFICIALS, HE IS ALSO INTERESTED IN MEETING WITH REPRESENTATIVES FROM THE TRADE UNIONS, THE EMPLOYERS AND PRIVATE INSURANCE CARRIERS.

2. IN ORDER TO ASSIST ADDRESSEE POSTS IN SETTING UP APPROPRIATE APPOINTMENTS ELISBURG HAS IDENTIFIED THE

FOLLOWING TOPICS AND RELATED QUESTIONS TO WHICH HE IS SEEKING ANSWERS:

(1) SCOPE OF COVERAGE:

DOES THE SYSTEM PROVIDE COMPENSATION FOR ALL DISABILITIES REGARDLESS OF ORIGIN OR ONLY FOR DISABILITIES AND DISEASES THAT ARE WORK RELATED? IF SPECIAL COMPENSATION IS PROVIDED FOR WORK-RELATED INJURIES AND ILLNESSES, HOW IS THE DISTINCTION MADE IN THE CASE OF OCCUPATIONAL DISEASES? ARE ALL WORKERS COVERED? IF THERE ARE DUAL SYSTEMS (E.G., SOCIAL SECURITY DISABILITY AND WORKERS' COMPENSATION AS IN U.S.) ARE BENEFITS PAID TO PERSONS WHO QUALIFY UNDER BOTH SYSTEMS?

(2) INSTITUTIONAL ARRANGEMENTS:

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 043140

WHO ADMINISTERS THE COMPENSATION PROGRAM -- GOVERNMENTAL BODY? PRIVATE INSURERS? IF RESPONSIBILITY IS SHARED, WHO PERFORMS WHAT ROLE? WHO MAKES THE DIAGNOSIS OF A COMPENSABLE CONDITION OR INJURY -- PRIVATE PHYSICIAN SELECTED BY EMPLOYEE? GOVERNMENT PHYSICIAN? EMPLOYER'S PHYSICIAN? WHO MAKES THE DECISION AS TO WHETHER A CLAIM FOR COMPENSATION IS ALLOWED OR DISALLOWED -- PRIVATE BODY OR INSURER? GOVERNMENT BODY? ARE CLAIMANTS PERMITTED LEGAL REPRESENTATION? BY PRIVATE OR PUBLIC LAWYERS? WHAT APPEALS OF DECISIONS ARE PERMITTED? WHAT TECHNIQUES ARE USED TO LIMIT OR REDUCE LITIGATION OF CASES? ARE DISPUTES SETTLED IN AN ADVERSARY SETTING (AS IN A COURT) OR IN A FACT-FINDING SETTING?

(3) BENEFITS

WHAT IS THE LEVEL AND DURATION OF BENEFITS PROVIDED TO DISABLED WORKERS? TO THEIR SURVIVORS? IS THE LEVEL OF BENEFITS RELATED TO WAGE LOSS, INDEMNIFICATION OR BOTH? ARE NECESSARY MEDICAL SERVICES INCLUDED AS A WORKER'S COMPENSATION BENEFIT OR ARE THEY PROVIDED FROM SOME OTHER SOCIAL INSURANCE PROGRAM? ARE BENEFITS FOR THE

LONG-TERM DISABLED ADJUSTED FOR INFLATION?

(4) FINANCING:

HOW ARE COMPENSATION BENEFITS FINANCED -- EMPLOYER/
EMPLOYEES? AND/OR GOVERNMENT CONTRIBUTIONS? ARE

COSTS APPORTIONED AMONG INDUSTRIES ACCORDING TO RISK
LEVELS? ARE INDIVIDUAL FIRM'S CONTRIBUTIONS TO THE
SYSTEM ADJUSTED ACCORDING TO THEIR INJURY AND ILLNESS
EXPERIENCE?

(5) OCCUPATIONAL DISEASES

UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 043140

ARE OCCUPATIONAL DISEASE CASES HANDLED OR COMPENSATED
DIFFERENTLY THAN INJURY CASES? IF SO, HOW? HOW IS
THE COMPENSABILITY OF DISEASES WHICH MAY BE CONTRACTED
OUTSIDE AS WELL AS IN THE WORKPLACE DETERMINED?

(6) PROBLEMS:

WHAT ARE THE MOST SERIOUS PROBLEMS AND DEFICIENCIES
WITH THE EXISTING SYSTEM? WHAT SOLUTIONS OR NEW
APPROACHES HAVE BEEN PROPOSED OR ARE UNDER CONSIDERATION?

3. MR. ELISBURG WILL BE ACCOMPANIED BY DAIL PHILLIPS,
EXECUTIVE DIRECTOR, OFFICE OF WORKMEN'S COMPENSATION
PROGRAMS TASK FORCE. THEIR FLIGHT SCHEDULE FOLLOWS:

SAT., 3/4 AR. LONDON PA 105 8:45 A.M.

TUES., 3/7 LV. LONDON BE 758 6:00 P.M.

TUES., 3/7 AR. STOCKHOLM BE 758 9:15 P.M.

SAT., 3/11 LV. STOCKHOLM SK 417 4:05 P.M.

SAT., 3/11 AR. AMSTERDAM SK 553 7:20 P.M.

TUES., 3/14 LV. AMSTERDAM HN 385 5:10 P.M.

TUES., 3/14 AR. BRUSSELS HN 385 5:50 P.M.

THURS., 3/16 LV. BRUSSELS SN 645 6:00 P.M.

THURS., 3/16 AR. PARIS SN 645 6:50 P.M.

UNCLASSIFIED

UNCLASSIFIED

PAGE 05 STATE 043140

SUN., 3/19 LV. PARIS TW 891 12:45 P.M.

4. DEPARTMENT OF LABOR WOULD APPRECIATE EMBASSIES' ASSISTANCE IN MAKING APPROPRIATE APPOINTMENTS. ALSO MAKE HOTEL RESERVATIONS FOR TWO SINGLES IN LINE WITH ABOVE SCHEDULE AND PLEASE ADVISE.

5. DEPARTMENT OF LABOR HAS AIRPOUCHED BACKGROUND INFORMATION INCLUDING BIODATA ON ELISBURG AND A SUMMARY OF CURRENT U.S. WORKMEN COMPENSATION PROGRAMS TO ADDRESSEES. VANCE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR, VISITS
Control Number: n/a
Copy: SINGLE
Draft Date: 17 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE043140
Document Source: CORE
Document Unique ID: 00
Drafter: IPA:GPHOLMES:VML
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780076-0499
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780239/aaaabgrf.tel
Line Count: 186
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 65f907d4-c288-dd11-92da-001cc4696bcc
Office: ORIGIN LAB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09 feb 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3552524
Secure: OPEN
Status: NATIVE
Subject: DEPARTMENT OF LABOR OFFICIAL TRAVEL: DONALD E. ELISBURG, ASSISTANT SECRETARY FOR EMPLOYMENT STANDARDS
TAGS: ELAB, OVIP, (ELISBURG, D)
To: BRUSSELS THE HAGUE MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/65f907d4-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014